

U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS
ON THE COURTS DOCKET
TAWANA C. MARSHALL, CLERK



D. Michael Lynn
U.S. Bankruptcy Judge

MAY 12 2011

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

In re

FRE REAL ESTATE, INC.,

Debtor.

Chapter 11

Case No. 11-42042-DML

**ORDER MODIFYING THE AUTOMATIC STAY TO AUTHORIZE POSTING
OF COLLATERAL FOR FORECLOSURE**

On April 7, 2011, this Court entered an Order (the "Order") [docket no. 20] denying the *Motion Seeking Emergency Consideration* [docket no. 9] (the "Emergency Motion") filed by Highland Capital Management, L.P. in its capacity as Special Servicer (the "Special Servicer"). As part of the Order, the Court authorized the Special Servicer to post its collateral for foreclosure on the first Tuesday in May, 2011, though the Special Servicer was not permitted to proceed with the foreclosure sale without further order of this Court. The Court did not subsequently authorize the Special Servicer to proceed with the May foreclosure sale. Rather,

the Court, having heard the request made by the Special Servicer at the Status Conference held on May 2, 2011, to post its collateral for foreclosure on the first Tuesday in June, 2011,

IT IS HEREBY ORDERED THAT,

The automatic stay is modified to permit the Special Servicer to post its collateral for foreclosure on the first Tuesday in June, 2011, provided that no further action shall be taken to foreclose absent further order of this Court.

END OF ORDER